

Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Amendment of Section 2.106 of the
Commission's Rules to Allocate
Spectrum at 2 GHz for Use
by the Mobile Satellite Service)

To: The Commission)

ET Docket No. 95-18

MOTION FOR EXTENSION OF TIME

The Association for Maximum Service Television, Inc. ("MSTV"), pursuant to Section 1.46 of the Commission's Rules, respectfully requests an extension of time within which to file comments and reply comments to the Third Notice of Proposed Rulemaking ("*Notice*") in this proceeding. Comments are currently due to be filed on January 19, 1999 and reply comments are due February 19, 1999. MSTV requests that the Commission extend these due dates to February 19, 1999 and March 22, 1999, respectively.

MSTV supports the Commission's efforts to move forward quickly to resolve the outstanding issues in this proceeding and enable the incumbent broadcast auxiliary services ("BAS") licensees to initiate the process of moving out of the spectrum that they are obligated, under international agreement, to vacate by 2005. However, MSTV believes that the complex relocation and compensation issues involved in the proceeding merit careful consideration by the affected industries and the Commission, and that additional time is needed for the broadcast industry to consult internally in an effort to develop a coordinated position that will be helpful to the Commission in resolving the complicated issues at stake. Taking the additional time now will lead to more expedited and reasoned resolution of the issues.

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Since the inception of this proceeding, broadcasters have coordinated their responses to the many important issues involved through both joint comments¹ and coordinated positions. Once again, the recent *Notice* asks a number of detailed and complex questions that would appear to merit a coordinated industry response.² To advance the goal of resolving the issues raised by these questions efficiently and expeditiously, MSTV believes that a process of joint communication and consultation among major industry entities is again appropriate to enable the industry to make an effort to provide the Commission with a coordinated industry position. However, engaging in this kind of coordination takes time, and has thus far been attempted during a period when a number of activities taking place in the industry (*e.g.* the National Association of Broadcasters Board meeting and the National Association of Television Production Executives conference) have interfered with the ability to do so.

In addition, many of the questions asked in the *Notice* (*e.g.* questions concerning criteria for and costs of replacement ENG equipment) require input from ENG equipment manufacturers. Although MSTV is engaged in ongoing discussions with these manufacturers,

¹ See, *e.g.*, Joint Comments of the Association for Maximum Service Television, Inc. and Other Major Television Broadcasting Entities, ET Docket No. 95-18 (May 5, 1995); Joint Reply Comments of the Association for Maximum Service Television, Inc. and Other Major Broadcasting Entities, ET Docket No. 95-18 (June 21, 1995); Joint Comments of the Association for Maximum Service Television, Inc. and Other Major Television Broadcasting Entities, ET Docket No. 95-18 (May 17, 1996); Joint Comments of the Association for Maximum Service Television, Inc., the National Association of Broadcasters and the Radio Television News Directors Association, ET Docket No. 95-18 (June 23, 1997).

² For example, a single paragraph in the *Notice* asks whether the Commission should establish the criteria for acceptable replacement ENG equipment and whether a single industry organization should coordinate the transition, and seeks "any available information" on (1) the number of existing BAS facilities; (2) the approximate costs of new digital ENG equipment; (3) the extent to which currently deployed ENG equipment can be retuned; (4) the extent to which Channels 1 and 2 are currently used; and (5) "the particulars of BAS operation." Memorandum Opinion and Order and Third Notice of Proposed Rulemaking and Order, In re Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile-Satellite Service, ET Docket No. 95-18, FCC 98-309, ¶ 43 (released Nov. 27, 1998).

we have found the process of obtaining information on these important issues to be more time-consuming than we had anticipated. Additional time is needed so that MSTV and other industry representatives can continue to pursue these efforts.


Because of the obstacles to industry coordination, the complexity of the issues raised in the *Notice*, and the importance of successfully orchestrating the seamless transition of ENG licensees who provide a critical public service, MSTV believes that a 30-day extension of time to comment on the *Notice* is justified. At the conclusion of this extended comment period, although we cannot guarantee that we will have obtained detailed technical or cost information from ENG equipment manufacturers or that the consensus necessary to submit a joint filing will have been achieved, MSTV hopes to present a set of well-informed positions that have at the very least been discussed at some length within the industry and reflect the concerns and interests raised in those discussions.³

In light of the foregoing, MSTV respectfully requests that the Commission extend the comment date in this proceeding to February 19, 1999 and the reply comment date to March 22, 1999.

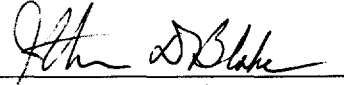
³ MSTV further believes that, whatever the outcome, the process of pursuing consensus on the relocation and compensation issues raised in this *Notice* will help to prepare the industry for the ensuing relocation compensation negotiations with MSS providers, which should help to expedite the negotiations and speed relocation.

Respectfully submitted,

**THE ASSOCIATION FOR MAXIMUM
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